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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ALMA CLARISA HERNANDEZ,  
  
Plaintiff,  
  
vs.  
  
FRY'S ELECTRONICS, INC., et al.,  
  
Defendants.

No. 5:10-CV-05475-PSG

**JOINT REQUEST FOR  
ADMINISTRATIVE RELIEF AFTER  
MEDIATION REQUESTING CASE  
MANAGEMENT CONFERENCE [ADA  
Access]; ~~PROPOSED~~ ORDER**

This matter was referred to mediation on June 24, 2011. On July 13, 2011, a mediator was appointed. On September 22, 2011 the first pre-mediation telephone call took place. On December 14, 2011, the first mediation session was conducted. On December 16, 2011, the mediator filed a certification of ADR Session stating that further facilitated discussions were to take place, and that the ADR Process was not complete (Doc. 16). On February 10, 2012, counsel for the parties met in person as requested by the mediator (but without the mediator's presence) to further discuss settlement. Since then, the parties have been working towards settlement and remain optimistic that a settlement will be reached.

On May 1, 2012 the Court issued an Order to Show Cause to Plaintiff regarding its failure to file for administrative relief following the certification of mediation (Doc. 18). As the December 16, 2011 Certification of ADR Session indicated that the ADR process was not

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complete, no final certification had to date been made, and thus no triggering event for Plaintiff to file this request for administrative relief. On May 2, 2012, the mediator filed a Certification of Mediation concluding the mediation process without full settlement (Doc. 19).

Pursuant to General Order 56 and Local Rule 7-11, the Parties accordingly request that the Court set a Case Management Conference in this matter.

Respectfully submitted this 3rd day of May 2012.

MOORE LAW FIRM, P.C.

/s/ Tanya E. Moore  
Tanya E. Moore, Attorneys for  
Plaintiff

BORTON PETRINI, LLP

/s/ Samuel L. Phillips  
Samuel L. Phillips, Attorneys for  
Defendants

**ORDER**

Upon request of the Parties and good cause appearing,

**IT IS HEREBY ORDERED** that a Case Management Conference is set for October 4, 2012 at 4:22 PM in Courtroom 5 before the Honorable Paul S. Grewal. The parties shall file a joint case management conference statement no more than seven (7) days prior to the Case Management Conference.

**IT IS SO ORDERED.**

Dated: 5/10/2012

Paul S. Grewal  
United States Magistrate Judge